

**THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

PETER D. KINDER,)
MISSOURI LIEUTENANT GOVERNOR, et al.,)
)
Plaintiffs,)
) Cause No: 1:10-cv-00101-RWS
v.)
)
TIMOTHY F. GEITHNER,)
SECRETARY OF TREASURY, et al..)
)
Defendants.)

NOTICE OF APPEAL

Notice is hereby given that Plaintiffs in the above-captioned case, Peter D. Kinder, *et al.*, hereby appeal to the United States Court of Appeals for the Eighth Circuit from the Order and Judgment entered April 26, 2011, granting Defendant's Motion to Dismiss (Dkt. 37 and 38).¹

April 29, 2011

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¹ Plaintiffs recognize that the judgment from the Court has not yet issued. However, to ensure an expeditious appeal, pursuant to Federal Rule of Appellate Procedure 4(a)(2), Plaintiffs have elected to file their Notice of Appeal prior to the issuance of the judgment in this case.

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CERTIFICATE OF SERVICE

I hereby certify that on April 29, 2011, the foregoing was filed electronically with the Clerk of Court to be served by operation of the Court's electronic filing system upon the following:

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